

**CITY OF KNOXVILLE  
BUILDING BOARD OF ADJUSTMENTS AND APPEALS  
MEETING MINUTES  
October 21, 2016, 9:00 am**

SMALL ASSEMBLY ROOM – CITY/COUNTY BUILDING (400 MAIN ST)

*This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 8-44-101, et seq.*

**ROLL CALL**

**Board members present:**

Albert Beasley  
Fanesha Powell  
Gregor Smee  
David Smith  
Bill Waters  
Doyle Webb, Chairman

**Staff members present:**

Peter Ahrens, Director of Plans Review  
DeAnn Bogus, Deputy Director of Plans Review  
Marty Clay, Chief Building Inspector  
Crista Cuccaro, Law Department  
Sonny Partin, KFD  
Angelia Rooks, Board Secretary

**Board members absent:** David Icove, John Kenny, Jimmy Taylor

**APPROVAL OF MINUTES**

Board member David Smith made a motion to approve the September 16, 2016 minutes. It was seconded by Board member Albert Beasley. The Board voted 5-0 to **APPROVE** the motion.

Board member Gregor Smee arrived at 9:02, and was not present during the vote.

**NEW BUSINESS**

**File:** BD9A16BU  
**Address:** 512 Union Avenue  
**Owner:** R.A.W. Properties  
**Applicant:** Jake Pinkston (Monolith Construction LLC)  
**Code Section:** 2012 IBC, SECTIONS 1003.3.1 and 1008.1.1

**Request:** Allow installation of exterior doors and frames at the height of 73 inches.

Board member David Smith recused.

Ronald Watkins, the owner, was present. The basement level exterior doors were rusted, in poor condition, and needed replacement. It was built in the 1920's and has been closed and renovated numerous times. The curb height and floor level were existing conditions when he purchased the building in the 1980's. Currently, the lower floor is commercial and the upper floors have 40 residential units. Increasing the door height was not an option because of existing headers. Lowering the floor would increase the flooding problems. The best solution was to simply replace the doors to improve the function and safety of the building.

Peter Ahrens stated that the City was opposed to the approval of a variance for any door that served as an exit. The City had no record of the installation of these doors, which were never in compliance. Marty Clay explained that after an inspection, the City determined that modifications were made to the building to increase the floor level and curb height, probably to address flooding concerns. This

included cutting the doors off at the bottom. The doors were clearly labeled as exits, and the building code did not allow an exit door to be less than 6 foot 8 inches in height. The contractor's permit application was denied because it was in conflict with the building code.

Sonny Partin agreed with the Building Official's decision. His preferred solution was to make the exit compliant and deal with the flooding issue separately.

Board member Bill Waters asked the staff if replacing the doors would create any additional safety concerns. Mr. Ahrens and Mr. Clay agreed that replacing the doors would be an improvement and would not make existing conditions any worse. They still had concerns that in a panic situation, shorter exit doors would be a hazard. Mr. Clay suggested creating a lower landing area (36" x 36") inside the door to bring it into compliance. Mr. Watkins stated that would not be possible at every exit.

Board member Gregor Smee stated that the doors were obviously modified after they were installed. He agreed that replacing the doors would be an improvement, but the handle should also be modified and raised to the proper height. He suggested painting the door header yellow, and adding cautionary signage. Mr. Watkins was agreeable to this solution.

Board member Bill Waters made a motion to approve the request with a condition to work with KFD to mark all the exit doors with yellow as a cautionary measure. It was seconded by Board member Albert Beasley. Board member Gregor Smee amended the motion to include adding caution signs indicating the actual clearance height. The amendment was seconded by Board member Albert Beasley. The Board voted 5-0 to **APPROVE the motion as amended with the conditions** of marking exit door headers yellow with KFD approval, and adding caution signs.

**File:** BD10A16BU  
**Address:** 705 S. Seventeenth Street  
**Owner:** Industrial Development Board of the City of Knoxville  
**Applicant:** Kyle Moore (Landmark Urban Construction)  
**Code Section:** 2012 IBC, SECTION 406.4.1

**Request:** Reduce minimum height of parking deck floor level from 7 ft to 6 ft 8 in.

Arthur Seymour, Jr., and Larry Farris, the applicant, were present. They presented photos and a memo from Landmark dated 10/21/2016 to the Board for review. The ceiling was 8 feet above the floor level, but there were structural elements, i.e. plumbing pipes, sprinkler pipes, and beams, that affected the clearance height of certain parking spaces.

Peter Ahrens stated that the ceiling height was identified on the plans, but was overlooked by the Plans Examiner. It was discovered during an inspection and the contractor was notified. The additional 4 inches was intended for taller vehicles and did not impact the building safety. The City was not opposed to an approval if it included the conditions of adding solid obstructions at 6 foot 8 inches to each affected parking space to identify them and protect the building systems; and to manage the use of the spaces as outlined in Landmark's memo, so that each tenant was made aware of the clearance height for their assigned parking space.

Sonny Partin asked for clarification that this would not affect the sprinkler system and bollards, which was approved, but not installed, yet. Mr. Farris confirmed that it would not affect the sprinkler system or bollards.

Board member Bill Waters made a motion to approve the request with conditions of the architects working with City staff to identify affected spaces and protect the building systems; and to incorporate the provisions provided in Landmark's memo dated 10/21/2016 to regulate the use of those parking

spaces. It was seconded by Board member David Smith. The Board voted 6-0 to **APPROVE the request with conditions.**

### **OTHER BUSINESS**

The next BBAA meeting is November 18, 2016.

### **ADJOURNMENT**

The meeting adjourned at 9:35 am.